



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3011390
Applicant Name: Gary Abrams for T-Mobile
Address of Proposal: 1300 North Northgate Way

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a new minor communication utility (T-Mobile) consisting of four panel antennas inside the steeple of a religious facility (Epic Life Church). Equipment cabinets will be located within the structure.

The following approvals are required:

SEPA - Environmental Determination - Seattle Municipal Code (SMC) 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving another agency with jurisdiction.

BACKGROUND INFORMATION

Site and Vicinity Description

The site is located in a Lowrise 2 (L2) zone on the northeast corner of North Northgate Way and Stone Avenue North. The site is located three blocks east of the busy signalized intersection of Aurora Avenue North and North Northgate Way. The site is relatively level and is developed with the Epic Life Church which is slightly taller than most of the structures in the immediate vicinity. The church is clad in red brick and has a steeple. Surface parking for the church is located on the north side of the building with vehicle access from Stone Avenue North.

Adjacent Zoning and Uses

North Northgate Way is a heavily travelled east/west arterial which carries traffic between Aurora Avenue North and the Northgate Shopping Mall, North Seattle Community College, and Interstate 5. There is a northward curve in the arterial two blocks east of the project site. Development in the vicinity consists of a mixture of single and multifamily structures along North Northgate Way. There is a fire station on the south side of North Northgate Way. There is a large Single Family 5000 zone to the north and south of the multifamily development along North Northgate Way.

Proposal Description

T-Mobile proposes to construct a minor communication utility at an existing church building on the corner of Stone Avenue North and North Northgate Way. All of the project components will be located entirely within the structure. Four antennas will be attached within the existing church structure, located on two rad centers (two antennas in the steeple spire, and two antennas in the lower section of the steeple). A section of the steeple's exterior material will be removed on both levels, and replaced with RF translucent material so that the antenna signals can pass through the exterior material. The associated radio cabinets will be located in a second floor storage area. The GPS/E-911 antenna will be located within the existing steeple structure as well, behind the RF translucent material. The proposed telecomm facility is adequately setback from residential uses in the vicinity. Only the appropriate personnel will be able to access the telecomm equipment.

Public Comments

The public comment period for this project ended July 28, 2010 and no written comments were received regarding this proposal.

SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and Seattle's SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 30, 2010. The information in the checklist, any supplemental information provided by the applicant and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to hydrocarbon emissions from construction vehicles and equipment; increased noise; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The building code provides for construction measures and life safety issues. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other green house gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Construction and Noise Impacts

Codes and development regulations applicable to this proposal will provide sufficient mitigation for most impacts. The construction of the "doghouse" and stair penthouse extension may include loud equipment and activities. This construction activity may have an adverse impact on nearby residences. Due to the close proximity of nearby residences, the Department finds that the limitations of the Noise Ordinance are inadequate to appropriately mitigate the adverse noise impacts associated with the proposal. The SEPA Construction Impact policies, (SMC 25.05.675.B) allow the Director to limit the hours of construction to mitigate adverse noise and other construction-related impacts. Therefore, the proposal is conditioned to limit construction activity to non-holiday weekday hours between 7:30 a.m. and 6:00 p.m.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions and environmental health.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies.

Greenhouse Gas Emissions and other Impacts

Emissions from the generation of greenhouse gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project. The other impacts such as but not limited to, increased ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

Environmental Health

The Federal Communications Commission (FCC) has pre-empted state and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions. As such, no mitigation measures are warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

The applicant has submitted a "Statement of Federal Communication Commission Compliance for Personal Wireless Service Facility" and an accompanying "Affidavit of Qualification and Certification" for this proposed facility giving the calculations of radiofrequency power density at roof and ground levels expected from this proposal and attesting to the qualifications of the Professional Engineer who made this assessment. This complies with the Seattle Municipal Code Section 25.10.300 that contains Electromagnetic Radiation standards with which the proposal must conform. The City of Seattle, in conjunction with Seattle King County Department of Public Health, has determined that Personal Communication Systems (PCS) operate at frequencies far below the Maximum Permissible Exposure standards established by the Federal Communications Commission (FCC) and therefore, does not warrant any conditioning to mitigate for adverse impacts.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.

- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS - SEPA

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. As more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. In order to further mitigate the noise impacts during construction, the hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work. This condition may also be modified to permit low noise exterior work after approval from the Land Use Planner.

Signature: _____ (signature on file) Date: September 13, 2010
Malli Anderson, Land Use Planner
Department of Planning and Development

MA:bg

I:\anderson\3011390.docx